

CITY COUNCIL
COMMUNITY PLANNING AND TRANSPORTATION
COMMITTEE MINUTES

November 16, 2017

The City Council Community Planning and Transportation Committee of the City of Norman, Cleveland County, State of Oklahoma, met at 3:35 p.m. in the Conference Room on the 16th day of November, 2017, and notice and agenda of the meeting were posted in the Municipal Building at 201 West Gray and the Norman Public Library at 225 North Webster 48 hours prior to the beginning of the meeting.

PRESENT: Councilmember Clark, Holman, Karjala, and Chairman Hickman

ABSENT: Councilmember Wilson

OTHERS PRESENT: Councilmember Castleberry, Ward Three
Mayor Lynne Miller
Mr. Bob Christian, Permit Manager
Ms. Susan Connors, Director of Planning and Community Development
Ms. Carrie Evenson, Stormwater Program Manager
Mr. Terry Floyd, Development Coordinator
Mr. Rocky Henkel, Street Superintendent
Ms. Jane Hudson, Principal Planner
Ms. Sara Kaplan, Retail Marketing Coordinator
Mr. Steve Lewis, City Manager
Mr. Scott Sturtz, City Engineer
Ms. Kathryn Walker, Assistant City Attorney
Ms. Syndi Runyon, Administrative Technician IV

Item 1, being:

CLEVELAND AREA RAPID TRANSIT (CART) RIDERSHIP REPORT INCLUDING SAFERIDE AND EXTENDED SERVICE FOR THE MONTH OF OCTOBER 2017.

Mr. Taylor Johnson, Marketing Specialist for Cleveland Area Rapid Transit (CART), highlighted CART Ridership Reports for October 2017, and said fiscal year-to-date ridership (July to October) had a decrease of 11% over the same period last year. In October CART transported 140,553 passengers that included 749 riders who traveled with bicycles and 293 riders who traveled with wheelchairs.

CARTaccess transported 3,033 riders in October, a decrease of 5% over the same month last year with an average daily ridership of 126 riders. Year-to-date primary zone ridership decreased by 12% while secondary zone ridership increased by 25%.

Item 1, continued:

Mr. Johnson said CART participated in the annual Oklahoma Transit Association Bus Rodeo on October 18th through 20th that included three classes of obstacle courses and knowledge testing. CART driver Kevin Calvert won first place in the city bus portion and will represent Oklahoma at the national competition. Also, the University of Oklahoma (OU) hosted the Campus Parking and Transportation Association National Conference on October 8th through 11th that included sessions on construction of parking garages, smarter parking, and bike share. CART Staff participated in Department of Human Services (DHS) training on October 27th and has utilized DHS funding in the past to purchase cutaway vehicles for CARTaccess. He explained that a cutaway vehicle has a standard-sized windshield, similar to a regular cab (pickup) chassis, and the driver sits further back from the windshield or behind the engine compartment.

Mr. Johnson said CART Staff has been participating in the City of Norman's Americans with Disability Act Self-Evaluation/Transition Plan since bus stops in the public right-of-way are included in the scope of that plan. CART also completed the National Transit Database Annual Report, which is the collection of data and statistics from transit agencies across the nation that is made available to the public. He said some of these statistics are involved in the urbanized formula grant funding for CART.

Chairman Hickman asked if CART could provide a cost estimate to add a bus stop at the corner of Porter Avenue and Rock Creek Road and Mr. Johnson said certainly.

Chairman Hickman asked if there are locations, e.g., near Constitution Street and Classen Boulevard, that CART would recommend expanding the Bicycle Share Program and what that would cost and Mr. Johnson said he would be happy to prepare information to present to the Committee.

Items submitted for the record

1. Cleveland Area Rapid Transit Ridership Totals for the months of October 2017
2. Cleveland Area Rapid Transit Monthly Reports for October 2017

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Item 2, being:

DISCUSSION REGARDING THE CREATION OF REGULATIONS FOR TINY HOUSES AND WEDDING VENUES.

Ms. Susan Connors, Director of Planning and Community Development, said Staff submitted information regarding tiny houses and wedding venues to the Committee in September at which time the Committee requested Staff prepare draft ordinance language for both items. She highlighted the regulations discussed by the Committee.

Item 2, continued:

Tiny House Regulations

Ms. Connors said the following regulations for tiny house are based upon the Committee's discussions:

- Tiny houses should be on a foundation;
- Be considered the primary structure on a lot;
- Tiny houses subdivisions/parks could be developed with houses on wheels or without wheels through Planned Unit Development (PUD) zoning;
- Tiny houses should be defined as a dwelling that is 400 square feet or less in floor area excluding lofts (which is consistent with other communities that have tiny house regulations);
- One tiny house per lot should be allowed through a Special Use Permit in zoning districts A-1, General Agricultural District, A-2, Rural Agricultural District, and RE, Residential Estate District;
- Tiny houses should be allowed as temporary housing after a natural disaster occurrence;
- Tiny houses must have adequate water and wastewater disposal systems and be connected to electricity prior to habitation;
- There should be a minimum of ten acres for a tiny house subdivision/park;
- Impervious surface coverage should be 65%; and
- Inspections should be made by City of Norman building inspectors to ensure International Residential Code (IRC) requirements are met.

Chairman Hickman asked how big the lots in RE are and Ms. Connors said two acres. Chairman Hickman asked if A-1 and A-2 also consist of two acre lots and Ms. Connors said A-1 can be one acre or more and A-2 is generally ten acres or more.

Mayor Miller said there is a restriction of one residence per ten acres in east Norman so how would a tiny house park work in east Norman? Ms. Connors said that would need further discussion, but could be accomplished through a PUD.

Chairman Hickman said if there was interest in a ten acre tiny house subdivision, how many tiny houses could be built there? Ms. Connors said there is not a lot of literature regarding tiny house subdivisions so that is something that would need to be researched.

Councilmember Castleberry asked how mobile home parks are zoned and Ms. Connors said mobile home parks have a specific zoning district known as RM-4, Mobile Home Park District. Councilmember Castleberry said he is not sure he would like tiny home parks to be allowed in agriculturally zoned land that may be next to or across from million dollar homes so how would the City protect property values? Ms. Connors said requests would come to Council through a PUD so Council could deny the zoning change and if it were a single tiny house on an individual lot it would require a Special Use Permit, which also needs approval by Council. Ms. Connors said that is the reason Staff is recommending only allowing them in rural areas that have larger lots with larger separation. She said mobile homes are currently allowed in A-1 and A-2 and tiny homes are just a smaller version of a mobile home. Councilmember Castleberry said tiny homes can address the homeless population, but sticking the homeless population in rural areas where there is no transportation service is not a good idea. Ms. Connors said in that scenario, a tiny house park would be recommended that would require PUD zoning and could occur anywhere in Norman. She said

Item 2, continued:

Tiny House Regulations

Staff is recommending tiny homes being allowed on a single lot in R-1, R-2, and RE through a Special Use Permit and tiny home parks being allowed through a PUD anywhere in Norman.

Councilmember Holman said if he bought an empty lot in central Norman and wanted to place a tiny home there, would he be able to do that? Ms. Connors said no because it is manufactured, but people can build a house with a minimum of 400 square feet as long as it meets building code requirements. Councilmember Castleberry there is a big difference between constructing a 400 square foot home as opposed to placing a manufactured home on a foundation on a single lot in a residentially zoned area.

Chairman Hickman asked how the Committee felt about the proposed language for tiny houses and Mayor Miller said she was fine with the language. Councilmember Holman felt tiny houses should be allowed in more zoning districts.

Councilmember Castleberry asked what problem the City is trying to solve with this language, are people knocking down the doors to have tiny houses or is the City being proactive? Ms. Connors said there has not been a high demand; however, there is one person that has placed a tiny house on a rural lot that does not comply with current codes. Councilmember Karjala said the City is trying to accommodate this person because the tiny house is in Ward Five and Councilmember Wilson requested language be drafted to allow tiny houses, but Councilmember Wilson is not here tonight so maybe the Committee should postpone this discussion until she can join the discussion. Councilmember Holman agreed that Councilmember Wilson should be involved in the discussion.

Chairman Hickman said he and Councilmember Wilson were approached by a developer who has an interest in creating a tiny house subdivision/park around Lake Thunderbird.

Chairman Hickman said he is comfortable moving the language forward to a study session or conference as long as tiny house subdivision/parks language is removed. Mayor Miller agreed and said sometimes it is better to let other communities work out the kinks so she is comfortable moving forward with the removal of tiny house subdivisions/parks. Councilmember Castleberry said he is not comfortable with the language at all and would like more discussion before moving forward to full Council because Council has more important topics to discuss in study sessions/conferences.

Mayor Miller reminded the Committee that a Councilmember requested this topic be discussed and was included as a Council goal during the Council Retreat.

Chairman Hickman said Councilmember Wilson emailed him and Ms. Connors, which is included in the packet, stating she has no problem with the tiny house language.

Chairman Hickman suggested removing tiny houses subdivision/park language requirements and the drafted language be forwarded to full Council for further comments. He said at that time Council can decide if they would like to move forward with an ordinance and the Committee agreed.

Item 2, continued:

Agri-Wedding Venue Regulations

Ms. Jane Hudson, Principal Planner, said in August the Committee discussed the possibility of allowing agri-wedding event venues through a Special Use Permit or PUD. She said an agri-wedding venue would be allowed as an accessory use to an existing agricultural business/site located on agriculturally zoned land that has ongoing viable agricultural use. The location would also have to have an owner occupied residential use that provides a facility for a commercial wedding venue social gathering consisting of areas typically accessory to wedding venues with a kitchen and/or outdoor barbecue facility available for use by private groups for activities such as weddings, wedding parties, and wedding receptions. The agri-wedding venue would be allowed on parcels of ten acres or larger in A-1 and A-2 districts and suitability for an agri-wedding venue would be determined by the characteristics of the site and unique capacity of the parcel to accommodate the use while preserving the essential rural character of the area and site. The locations would need to accommodate an agri-wedding venue use without negatively impacting the general health, safety, and welfare of the community.

Agri-wedding venue use could be accommodated as follows:

- Small - ten acres or larger with 100 or fewer patrons
- Intermediate - twenty acres or larger with 200 or fewer patrons
- Large - forty acres or larger with 300 or fewer patrons.

Ms. Hudson highlighted the proposed conditions of use that includes a pre-development meeting; requiring a farming or ranching element (raise livestock or grow and sell produce) licensed by the State; a maximum number of guests based on parcel size (small, intermediate, large); food and beverage requirements; seasonal operations; number of weddings per week; hours of operation; overnight accommodations; off-street parking; setbacks; landscaping/screening; grading plan; traffic conditions; structures allowed for use; sanitary facilities; lighting; noise; sound amplification; waste; signage; fire and emergency vehicle access; and no other commercial events should be allowed on the site.

Mayor Miller asked if properties currently hosting weddings/concerts are able to do that through a Special Use Permit and Ms. Connors said no, they are doing it illegally and inspectors from the Code Compliance Division have visited with the property owners regarding the violation(s).

Mayor Miller asked what the grading plan requires and Ms. Hudson said if dirt work is done on more than one acre of land they need to submit a grading plan.

Councilmember Castleberry said the off-street parking regulations state that parking areas consisting of dirt/grass, gravel, asphalt, or concrete are considered to be approved parking areas. What other areas in Norman can citizens park on the grass in the right-of-way between the sidewalk and street? Ms. Connors said that regulation was included because Staff felt people in rural areas would not want to create huge asphalt and concrete parking areas ruining the natural ambience of the site.

Mayor Miller said Whispering Pines on East State Highway 9 is a Bed and Breakfast and asked if they could hold weddings and Ms. Connors said that is an interesting case because the ordinance does not specifically state they can host weddings; however, it is clearly implied in the meeting minutes that Whispering Pines would be hosting weddings.

Item 2, continued:

Agri-Wedding Venue Regulations

Chairman Hickman said Councilmember Wilson also emailed she had no issues with this language so he would like to move this item forward with tiny houses if the Committee has no objections and the Committee concurred. He said he would like to add Pedi cabs to that discussion as well since the City is basically using Oklahoma City's ordinance and he felt it does not need further Committee discussion.

Items submitted for the record

1. Memorandum dated November 9, 2017, from Susan Connors, AICP, Director of Planning and Community Development, to Community Planning and Transportation Committee Members
2. Tiny House Regulations
3. Agri-Wedding Venue Regulations
4. E-mail dated November 16, 2017, from Sereta Wilson to Bill Hickman regarding tiny homes and wedding venues
5. Article entitled, "Tiny houses Are Trendy -Unless They Go Up Next Door," by Scott McFetridge of the Associated Press

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Item 3, being:

DISCUSSION REGARDING GREEN BUILDING CODE AND GREEN INFRASTRUCTURE/LOW IMPACT DEVELOPMENT INCENTIVES.

Mr. Terry Floyd, Development Coordinator, said today's discussion on green building codes (GBC) and low impact development (LID) incentives is simply an introduction into the topic. He said this topic typically requires multiple meetings and a key factor is involving the development community on exactly what items will be incentivized because the City does not want to incentivize items that will not be utilized. He said "green building" is a term used to commonly describe sustainable building practices for construction projects and green building codes typically exceed requirements of traditional building codes and are primarily used for construction of *structures* on property. The City recently adopted the 2006 International Energy Conservation Code (IECC) in addition to the 2015 International Residential Code (IRC), 2015 International Building Code (IBC), and 2015 International Mechanical Code (IMC).

Mr. Floyd said incentive programs have been utilized by many municipalities/local jurisdictions to help facilitate green development such as Structural Incentives that consist of expedited review/permitting processes and density and height bonuses; Financial Incentives that consist of permit fee reduction/waiver, grants, revolving loan funds, and tax credits (property tax reductions); and Other Incentives that consist of technical assistance to developers with education and marketing, i.e. signage, awards, press releases. He said common LID development practices to reduce runoff and pollutants can include engineered wetlands; dry ponds; green roofs; infiltration trenches; infiltration basins; porous pavement; vegetative bioswales; rain gardens; wet ponds; vegetative buffers; and native/drought tolerant plants.

Item 3, continued:

The most common incentives found throughout the nation include:

- Stormwater Fee Discounts - reduced impervious areas and runoff volumes;
- Development Incentives - zoning upgrades, expedited permitting, and increased densities;
- Grants - direct funding for green infrastructure upgrades and practices;
- Rebates and Installation Financing - funding, tax credits or reimbursements to property owners for certain green infrastructure installation; and
- Awards and Recognition Programs - marketing and public outreach to highlight successful green infrastructure projects.

Mr. Floyd said stormwater fee discounts encourage retrofits of existing properties and implementation of green infrastructure in new development. The incentive fee discounts/credits provide an opportunity for property owners to reduce the amount of stormwater fees that may apply to their property by decreasing impervious surfaces or using green infrastructure techniques that reduce the amount of stormwater runoff.

Mayor Miller asked what funds the City would utilize for making loans and Mr. Scott Sturtz, City Engineer, said the Oklahoma Water Resources Board (OWRB) offers assistance and the City is currently utilizing some of those funds on the Main Street Bridge Project over Brookhaven Creek. He said that project is utilizing quite a bit of green infrastructure installation through tree plantings and natural stream protections. He said this funding option is a loan program, but loan forgiveness is offered every other year; however, obtaining these funds is becoming more competitive as more communities become aware of the program.

Councilmember Castleberry asked what requirements have to be met for a loan to be forgiven and Mr. Sturtz said there was an application process with multiple meetings so it was a complicated, intense process. He said OWRB offers loan forgiveness on many of their State Revolving Funds, but the City must prove they are meeting all the conditions of the loan. Ms. Carrie Evenson, Stormwater Program Manager, said it is also conditional upon the amount of funding available because OWRB only has a specific amount of money available for principle forgiveness each year. She said the money is available as a way to incentivize communities to implement green infrastructure regulations.

Chairman Hickman said there are two parts to the GBC that consist of structures and dirt, which should be separate programs. For the structure portion, he would like to focus on single-family homes to include energy efficiency and reducing greenhouse gas emissions. He said the community may or may not be as willing to incentivize commercial structures or multi-family green structures. He would like to start with single-family structures then expand that to other structures in the future, if successful. He said there is a third party vendor known as RESNET that uses the Home Energy Rating System (HERS) Index, which is the industry standard by which a home's energy efficiency is measured. HERS is also the nationally recognized system for inspecting and calculating a home's energy performance. He said the builder would pay RESNET to measure the home's efficiency and perhaps suggest ways the house could be more energy efficient.

Item 3, continued:

Mayor Miller said focusing on energy efficiency should definitely be part of the GBC, but she hopes this topic is not rushed through because she would like to make sure the City has plenty of input from the people actually building these structures. Chairman Hickman said his thought was that Staff would hold meetings with industry representatives for input then have draft language come back to the Committee for further discussion.

Chairman Hickman said solar power is the future and if the City wanted to incentivize renewable energy, then solar power incentives would be worth discussing.

Councilmember Castleberry said the GBC should save the homeowner and the City money so that needs to be part of the conversation as well. Chairman Hickman agreed and said that is something Staff needs to discuss with the industry. He said he would like to know what revenues the City receives for single-family home construction so those revenues can be balanced against the cost to the builder to build a green home in order to decide incentive fees.

Councilmember Castleberry said most developers are already building green so he feels that GBC is not really a necessity and Mr. Sturtz said many developers are currently including rain gardens, energy efficient buildings, engineering better pollutant runoff solutions, as well as other LID items without it being required. He believes more and more LID is being incorporated, whether it is residential or commercial, and Staff continues to work with developers in assisting with ideas.

Chairman Hickman said if two people walk in with two development proposals and one proposal is standard, but the other incorporates LID methodologies does the City incentivize the LID proposal by expediting it? Mr. Floyd said not at this time. Chairman Hickman asked if that could be done to create competition and Mayor Miller said the City would need a policy so that idea is not used capriciously to keep the playing field level. Chairman Hickman said if the City has tools in place, Staff could create a priority system for fast tracking LID friendly permits.

Mr. Sean Rieger, representing the Builders Association of South Central Oklahoma (BASCO) and the Norman Development Council, said he appreciates this discussion and applauds the City for wanting to work with developers. He said other ideas include sidewalks on one side of the street because that would take away four feet of impervious surface that would save a large amount of square footage. He said developers would be happy to discuss ideas with the City. He said there are many "green" development options that may work in one State, but not another due to different weather and soil conditions.

Chairman Hickman suggested the City develop a list of LID options for developers. He said whatever policy is created, it needs to be done in the context of a pilot project to determine how well the program is working and tweaking options that may not be working. He felt that allowing more bar drainage ditches in neighborhoods would be helpful instead of constructing curbs and gutters. He said LID options could replace otherwise standard requirements that might be causing the City to be less green friendly than it wants and to avoid situations where requirements limit how low impact a development can be.

Item 3, continued:

Chairman Hickman said the next step will be for Staff to reach out to developers for their input and bringing those ideas back to the Committee. He said the next meeting will be December 20th and asked if Staff could have options ready by then and Mr. Floyd said he would like to move that into January or February because of the holidays and to allow Staff to have meaningful discussions with the development community. Chairman Hickman suggested Staff have something ready in January and he would work with the City Clerk on topics for December.

Items submitted for the record

1. Memorandum dated November 9, 2017, from Terry Floyd, Development Coordinator, through Steve Lewis, City Manager, to City Council Planning and Transportation Committee, with Attachment A, article entitled, "Good to know: Green Building Incentive Strategies," by the United States Green Building Council; Attachment B, Stormwater Management Controls Overview, and Attachment C, Description of Incentive Types, Stormwater Fee Discount
2. Designing and Building Houses that are Solar Ready, by the Office of Energy Efficiency and Renewable Energy
3. Recommendations for Building Solar Ready Houses New Mexico State University Southwest Technology Development Institute
4. PowerPoint presentation entitled, "City of Norman Green Building Code and Green Infrastructure Impact Development (LID) Incentives," dated November 16, 2017

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Item 4, being:


MISCELLANEOUS PUBLIC COMMENTS.

None

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The meeting adjourned at 5:25 p.m.

ATTEST:



City Clerk



Mayor

